

STAFF REPORT

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CASE NUMBER: **SUP 08-219 CC** **L.U.C.B. MEETING:** **July 10, 2008**

LOCATION: **South side of Monterey Road; +/-350 feet east of Collierville-Arlington Road**

OWNERS/APPLICANTS: **Spring Creek Ranch Club, LLC**

REPRESENTATIVE: **Solomito Land Planning**

REQUEST: **Special use permit to allow a golf swing analysis and fitting studio**

AREA: **3.95 Acres**

EXISTING LAND USE & ZONING: **Two-story single family frame home on estate lot in Agricultural (AG) District.**

SURROUNDING USES AND ZONING:

North: Vacant tracts and single family homes on estate-sized lots in Agricultural(AG) District and single family homes in Monterey Farms Subdivision in Agricultural(AG) District.

East: Single family homes on estate-sized lots and a vacant, heavily wooded tract with a small lake all in Agricultural(AG) District.

South: Spring Creek Ranch Golf Course(private), including club house and facilities approved by special permit(S.U.P. 97-222cc) in Agricultural(AG) District.

West: Vacant land and a single family home on large tract with balance vacant and sparsely wooded and single homes in Agricultural(AG) District.

OFFICE OF PLANNING AND DEVELOPMENT RECOMMENDATION:

Approval with Conditions

Staff: ***Brian Bacchus***

E-mail: [***brian.bacchus@memphisth.gov***](mailto:brian.bacchus@memphisth.gov)

CONCLUSIONS:

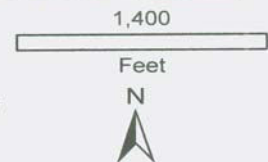
1. The subject property is 3.95 acres located at the south side of Monterey Road, approximately 650 feet east of Collierville-Arlington Road in East Central Shelby County in the Eads Community, but within Collierville Annexation Reserve Area.
2. This site is bounded by large tracts of land to the north and southwest with single family homes in Monterey Farms Subdivision farther north and homes in Spring Mill Subdivision farther west of the subject property.
3. The zoning of the subject property is Agricultural(AG) District zoning and does not allow a golf swing analysis and fitting studio by right. Therefore, the applicant is requesting a special permit for this land use to be located at the southern end of a 3.95 acre parcel on site with an existing single family home.
4. The applicant's site plan illustrates a new 3,200 sq. ft. building with associated customer and golf cart parking located at the northwest corner of the golf course adjacent to the practice range. This proposal will not disturb the twenty five(25) foot wide buffer area along the north property as conditioned by the golf course.
5. The golf studio cannot qualify as a permitted accessory structure to the single family home, because the proposed building and land use is principal in nature. However, since a special permit allows multiple buildings on a lot and the land is all in one ownership, the request is justified and the land use qualifies as an extension to the approved special permit for the golf course.

ZONING HISTORY MAP:



Prepared By:
Memphis & Shelby County Division Of Planning & Development

This map is not a legal survey nor is it warranted as to its completeness or accuracy. The data contained herein is from a variety of digital sources which do not necessarily align as they should. The user is cautioned to check with Planning & Development before making any decision based on its content.

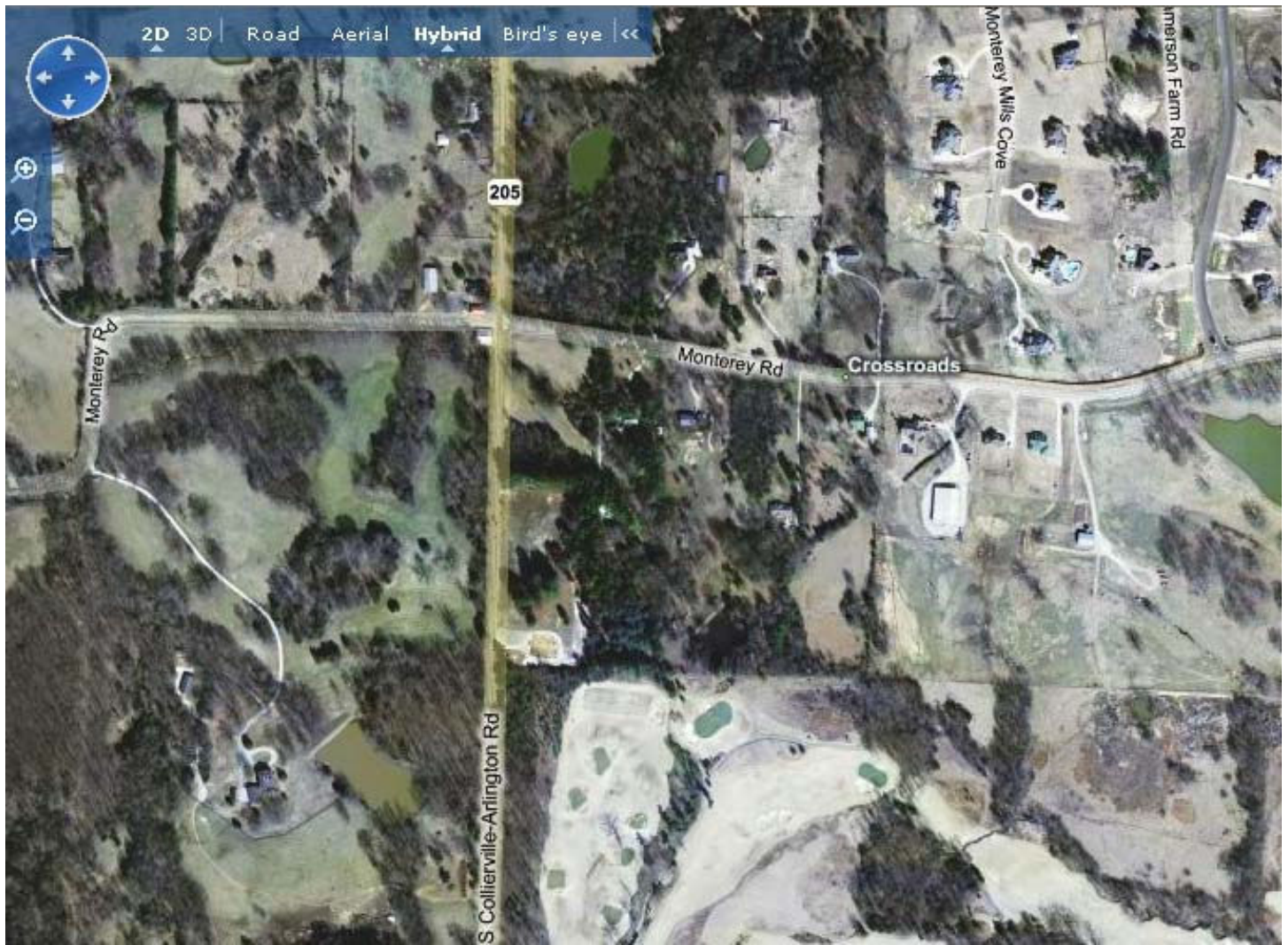


SUP08-219cc

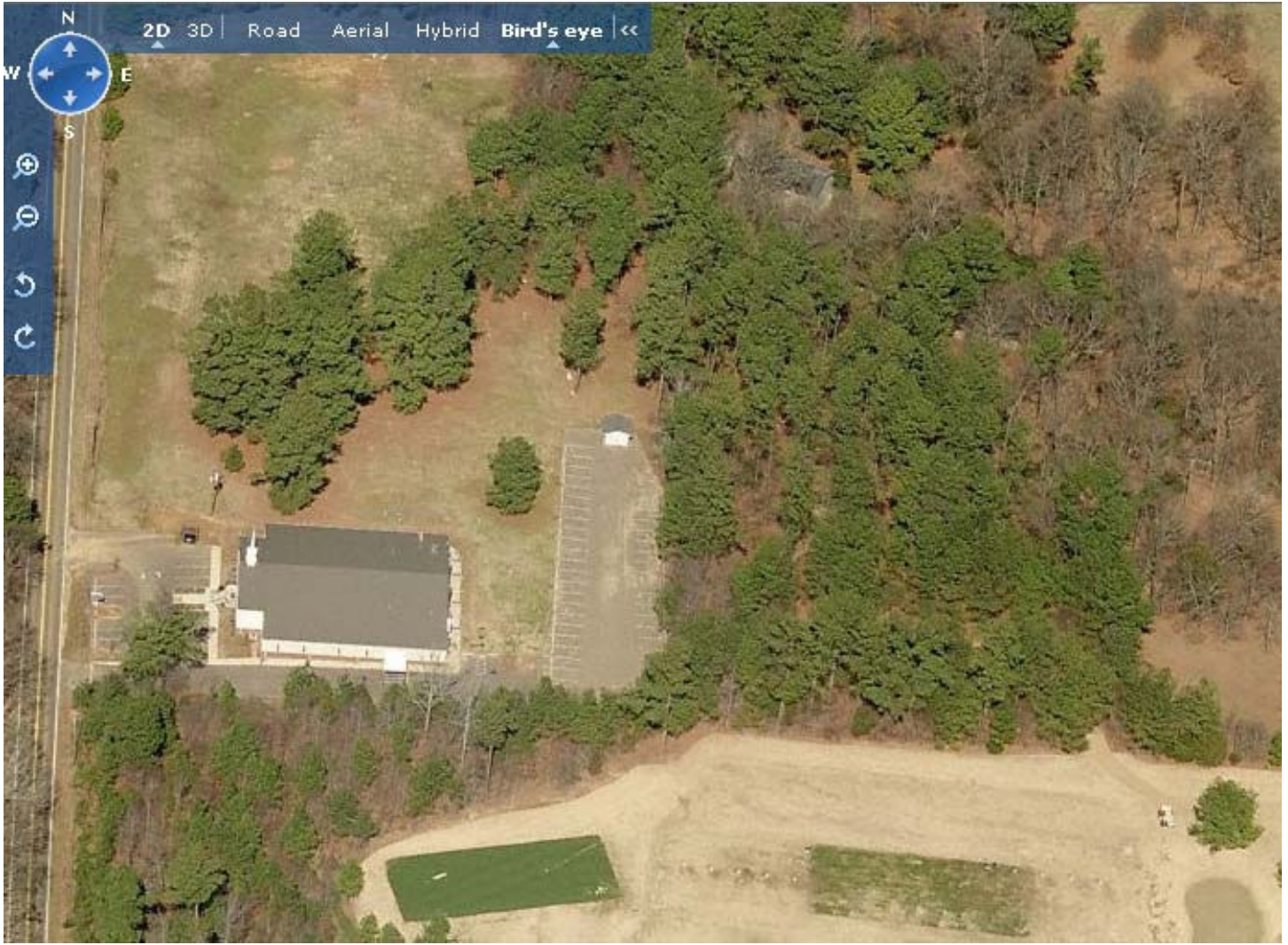
July 02, 2008
 Memphis and Shelby County Division of Planning and Development
 Land Use Control Board, 125 William St., Suite 100, Memphis, TN 38103
 GIS Tech: Daryl White; 901-578-7154 or 901-578-7154 fax
 E-mail: dwhite@shelbycountytexas.gov
 This is a representation and it should not be used as a legal document in any form or fashion.

0 400 800 1,200 Feet

AERIAL HYBRID VIEW:



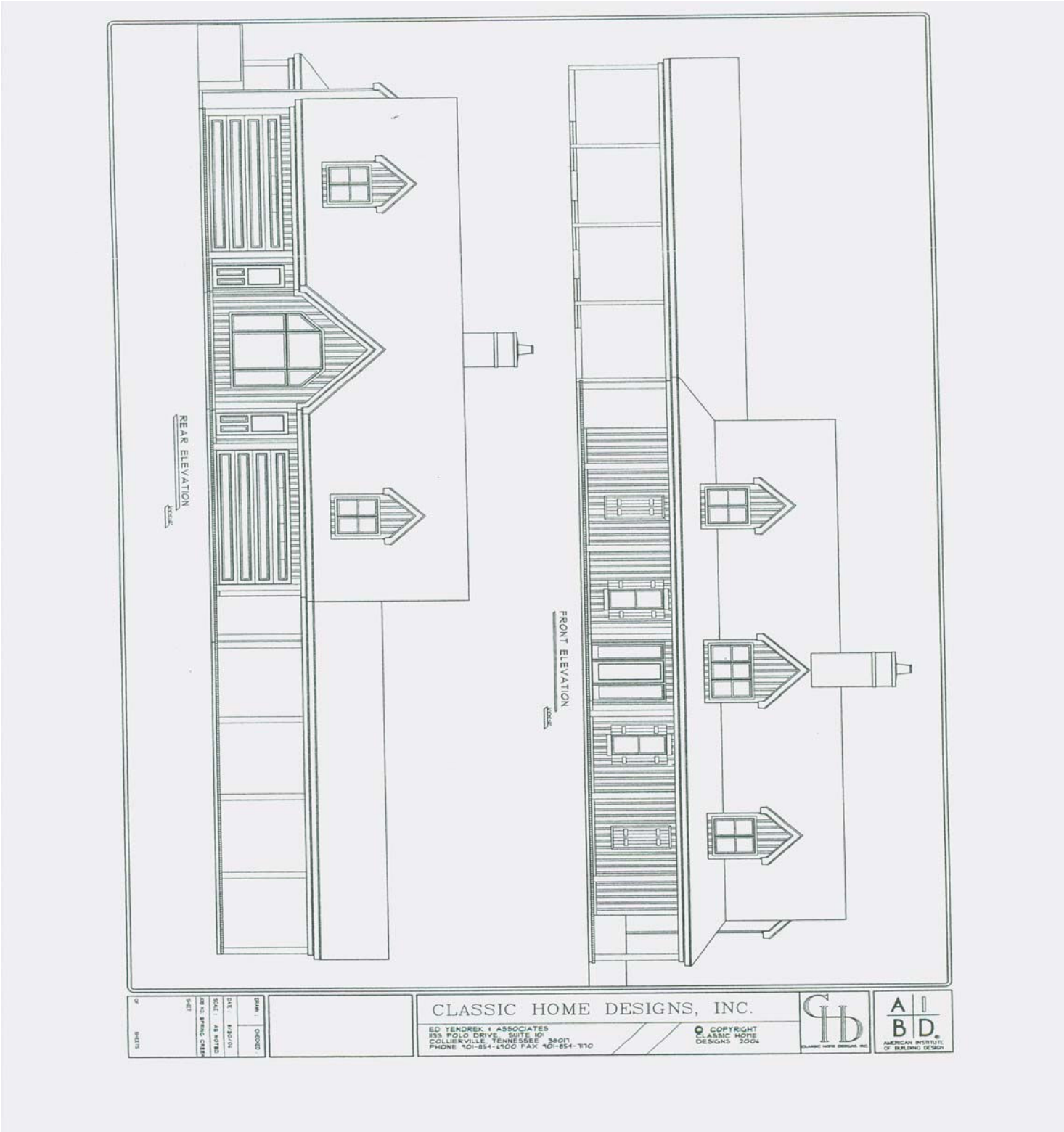
SUBJECT PROPERTY (Bird's Eye View):
(12191 Monterey Road)



SITE PLAN:



ELEVATION PLAN:



Vicinity Map

Proposed TN 385

MONTEREY ROAD

COLLIERVILLE ARLINGTON ROAD

JAB FAMILY LIMITED PARTNERSHIP 77.89 Ac.

MONROE FABRI LLC 28.77 Ac.

TRAIL PARTNERS 18.46 Ac.

SCORPION COUNTRY LLC 302.64 Ac.

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800 0 800 1600 2400 Feet

Date: 05/27/08
Prepared By: Property Research Data
PRD Job #08-052

STAFF ANALYSIS:

Site Description

The subject property is 3.95 acres located at the south side of Monterey Road; +/-650 feet east of Collierville-Arlington Road in East Central Shelby County in the Eads Community, but within the Collierville Annexation Reserve Area. On the site remains a two-story frame home in Fred Kern Subdivision, a two(2) lot subdivision approved in February, 1978. There is also an extended private drive from Monterey Road that leads to the home. The property is very well maintained and preserved in its original state with mature trees throughout the property boundaries of the property.

Area Overview

The surrounding land use and zoning is primarily rural in character with vacant land, small lakes, natural springs and single family homes on estate-sized lots in Agricultural(AG) District. This site is bounded by large tracts of land to the north and southwest with single family homes in Monterey Farms Subdivision farther north and homes in Spring Mill Subdivision farther west of the subject property.

The land use south and southeast is Spring Creek Ranch Golf Course with club house facilities approved by special permit. Directly adjacent to the site is vacant Mount Olive Baptist Church and vacant land at the immediate corner of Monterey and Collierville-Arlington roads. There are also single family homes surrounding the golf course in Spring Creek Ranch Planned Development.(P.D. 99-306 CO) farther south of the property.

Special Permit vs. Accessory Use

The zoning of the subject property is Agricultural(AG) District zoning and does not allow a golf swing analysis and fitting studio by right. Therefore, the applicant is requesting a special permit for this land use to be located at the southern end of a 3.95 acre parcel on site with an existing single family home. The home is located to the center of the parcel and oriented to Monterey Road, but would be separated from this proposed land use by a very significant horizontal distance and buffer of mature trees.

The applicant's site plan illustrates a new 3,200 sq. ft. building with associated customer and golf cart parking located at the northwest corner of the golf course and adjacent to the practice range. This proposal will not disturb the twenty five(25) foot wide buffer area along the north property as conditioned by the golf course. The new building will be placed outside the landscaped area with minimal disturbance to existing topography and mature trees. The architectural elements and building elevations will be compatible to the existing club house facilities located south of the property with the front elevation to front onto the golf practice range. The required parking will be located to the rear of the building with perhaps some overflow parking on the adjacent church property.

The applicant is proposing access from Collierville-Arlington Road via an ingress/egress easement twenty-four(24) feet in width to the south side of the vacant church building extending along the south property line. However, the construction of the golf studio creates two(2) principal structures on a lot. The golf studio cannot qualify as a permitted accessory structure to the single family home, because the proposed building and land use is principal in nature. However, since a special permit allows multiple buildings on a lot and the land is all in one ownership, the request is justified and the land use qualifies as an extension to the approved special permit for the golf course.

RECOMMENDATION: Approval with Conditions

SITE PLAN CONDITIONS:

A *Special Use Permit* is hereby authorized to ***'Spring Creek Ranch Club, LLC'*** to allow a ***'golf swing analysis and fitting studio'*** on property located at ***'12191 Monterey Road'*** at the ***'south side of Monterey Road; +/-341.30 feet east of Collierville-Arlington Road'*** in accordance with an approved ***'site plan'*** and the following supplemental conditions:

1. A golf swing analysis and fitting studio shall be permitted a maximum of 3,200 square feet in area. Any future expansions of structures or accessory uses shall be subject to review and approval by correspondence item to the Land Use Control Board.
2. The mature trees and shrubs interior to the site shall be preserved and maintained, including the enhancement of paved open space areas with flowering plants and shrubs. No fencing shall be allowed in the front yards along Collierville-Arlington Road and Monterey Road.
3. An 'Undisturbed Natural Area' shall be maintained on the balance of the property.
4. The location, design and number of any curb cut shall be subject to review and approval by the City/County Engineer. The existing curb-cuts shall remain with no internal access provided to adjacent land uses and structures.
5. Dedicate forty-two(42') feet from the centerline of Collierville-Arlington Road and improve in accordance with Subdivision Regulations and Shelby County Paving Policy.
6. Dedicate thirty-four(34') feet from the centerline of Monterey Road and improve in accordance with Subdivision Regulations and Shelby County Paving Policy.
7. All on-site parking spaces shall be provided and designated to rear of buildings with the exception of required handicap parking in accordance with parking requirements of Zoning Ordinance-Regulations.
8. One(1) attached sign a maximum of twelve(12) square feet in area shall be permitted for the golf studio.
9. A detailed Site Plan shall be submitted for review and approval prior to the forwarding of this application to the legislative bodies.
10. A golf swing analysis and fitting studio shall be allowed for the above mentioned user and maintained in accordance with site plan conditions subject to administrative site plan review and approval and no zoning violations.

GENERAL INFORMATION:

Street Frontage: Monterey Road-----+/-??? linear feet.

Planning District: East Central Shelby

Annexation Reserve: Collierville

Census Tract: 210.20

Zoning Atlas Page: 2165

Zoning History: In February, 1978 the Land Use Control Board approved a two(2) lot subdivision in Agricultural(AG) District zoning. The Agricultural(AG) District zoning of the property dates to the adoption of the 1970 Comprehensive Zoning.

DEPARTMENTAL COMMENTS:

The following comments were provided by agencies to which this application was referred:

City Engineer: This site is located in the Collierville Reserve Area.

County Engineer:

1. Collierville-Arlington Road is an MPO Major Road shown as Priority 1. Dedicate 42 feet from the centerline and improve in accordance with Subdivision Regulations and Shelby County Paving Policy.
2. Monterey Road is a Major County Collector. Dedicate 34 feet from the centerline and improve in accordance with Subdivision Regulations and Shelby County Paving Policy.
3. Cash-in-lieu of major roadway construction may be considered if future profile cannot be met. Permanent and temporary construction and slope easements are required if the roadway is not built.

County Fire Department: No comments received.

Memphis & Shelby County Health Department:

1. Conventional subsurface sewage disposal statutory criteria T.C.A. 68-221-403 (c) which requires either a high intensity soils evaluation by a soil scientist certified by the State of Tennessee or a percolation test must be performed to verify that the soil is sufficiently permeable to allow proper absorption of the sewage into the soil. The soil mapping or percolation test must be performed as outlined in the Rules and Regulations to Govern Subsurface Sewage Disposal Systems Chapter 1200-1-6-.02 (3).
2. The minimum acreage for an existing lot to have a subsurface sewage disposal system is two (2) acres. If the lot has a proposal to be subdivided each of the subdivided lots must have a minimum of two (2) acres for the installation of a subsurface sewage disposal system. Also, if the existing lot has a subsurface sewage disposal system it must maintain the two (2) acre minimum requirement.
3. As outlined in Rules and Regulations to Govern Subsurface Sewage Disposal Systems Chapter 1200-1-6-.03, areas consisting of fill material shall be excluded from the area considered for the installation of the disposal field unless soil conditions provide for adequate filtration and will prevent outcropping of sewage effluent.
4. Subsurface sewage disposal systems or field lines cannot be installed within the designated boundaries of the 100-year floodplain or flood zone.
5. Subsurface sewage disposal systems for commercial usage must be an engineer designed system.
6. This site appears to consist of the Grenada soil association series that will have slopes of 5-12%.
7. Abandoned wells of any type must be properly filled as outlined in the Shelby County Well Construction Code.
8. If a water well is to be installed at this site it must meet all siting criteria as outlined in the Shelby County Well Construction Code.

Shelby County Board of Education:

The subject property does not appear to be adjacent to any property which has been identified as belonging to Memphis City Schools (MCS). No identifiable impact on MCS' school-aged population nor MCS' property interests. Thank you for the opportunity to comment on this land use case.

Construction Code Enforcement:

No comments received.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following comments:

- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **Landscaping is prohibited** within any MLGW utility easement. No trees, shrubs or permanent structures will be allowed within any MLGW utility easements.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL @ 1.800.351.1111**, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s).
- **It is the responsibility of the owner/applicant** to contact the appropriate MLGW engineering area to determine if system improvements may be required and any related cost:
 - MLGW Engineering - **Residential Development:** 528-4858
 - MLGW Engineering - **Commercial Development:** 367-3343
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

AT&T: AT&T has no comments.

Memphis Area Transit Authority (MATA): No comments received.

OPD-Regional Services:

This application was reviewed by the MPO staff/Department of Regional Services on June 24, 2008. The MPO staff has determined that the proposed actions as submitted in this application will have no affect on the MPO Long Range Transportation Plan, Transportation Improvement Program, or any other plan, document, program or initiative of this department/organization.

OPD-Plans Development: No comments.

Town of Collierville: *No comments received as of 7/03/'08.*

Neighborhood Associations/Organizations:

Fisherville Civic Club: *No comments received as of 7/03/'08.*
Gray's Creek Association: *No comments received as of 7/03/'08.*

Staff: *bb*